

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Baichwal et al.

Group Art Unit: 1646

Serial No. Not yet assigned

Examiner: Not yet assigned

Filed: Herewith

Attorney Docket No. T95-006-2

For: *RIP: Novel Human Protein Involved in
Tumor Necrosis Factor Signal Transduction*

January 8, 2001

This is a DIV of USSN 09/132,118, filed on
August 11, 1998.

PRELIMINARY AMENDMENT

The Commissioner of Patents
Washington D.C. 20231

Dear Commissioner:

IN THE SPECIFICATION

At page 1, line 5, please replace the sentence "This is a ...Oct 23, 1995" with --This application is a divisional application of and claims priority under 35 U.S.C. § 120 to US Application Serial No. 09/132,118, filed August 11, 1998, which is a continuing application of and claims priority under 35 U.S.C. § 120 to US Application Serial No. 08/553,727, filed on October 23, 1995, which are incorporated herein by reference--.

IN THE CLAIMS

Please cancel claims 4 and 7-9, make the following amendments and add new claims 10-34 as follows:

1. (Amended) A[n isolated] recombinant polynucleotide encoding a RIP-Thr⁵¹⁴ polypeptide, said polypeptide comprising at least 10 consecutive amino acid residues of the amino acid sequence set forth as SEQ ID NO:2, which consecutive amino acid residues comprise the amino acid residue 514 (Thr) of SEQ ID NO:2.

2. (Amended) A[n isolated polypeptide] polynucleotide according to claim 1, wherein said polypeptide has an activity selected from at least one of: a kinase or kinase inhibitory activity or a RIP-binding or binding inhibitory activity.

3. (Amended) An isolated or recombinant RIP-ACA¹⁵⁴⁰⁻¹⁵⁴² nucleic acid comprising at least 24 consecutive nucleotides of the nucleotide sequence set forth as SEQ ID NO:1, which consecutive [poly]nucleotides comprise [the poly]nucleotides 1540-1542 (ACA) of SEQ ID NO:1.

5. (Amended) A cell comprising a nucleic acid according to claim [4] 1.

6. (Amended) A method of making an isolated RIP polypeptide, said method comprising steps: introducing a nucleic acid according to claim [4] 1 into a host cell or cellular extract, incubating said host cell or extract under conditions whereby said nucleic acid is expressed as a transcript and said transcript is expressed as a translation product comprising said polypeptide, and isolating said translation product.

10. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 1$ (SEQ ID NO:2, residues 509-518).

11. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 2$ (SEQ ID NO:2, residues 514-521).

12. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 3$ (SEQ ID NO:2, residues 506-514).

13. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 4$ (SEQ ID NO:2, residues 504-524).

14. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 5$ (SEQ ID NO:2, residues 498-514).
15. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 6$ (SEQ ID NO:2, residues 514-534).
16. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 7$ (SEQ ID NO:2, residues 513-520).
17. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 8$ (SEQ ID NO:2, residues 508-515).
18. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 9$ (SEQ ID NO:2, residues 512-522).
19. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 10$ (SEQ ID NO:2, residues 423-514).
20. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 11$ (SEQ ID NO:2, residues 423-543).
21. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 12$ (SEQ ID NO:2, residues 423-579).
22. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 13$ (SEQ ID NO:2, residues 423-633).
23. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid

residues comprise $\alpha\Delta 14$ (SEQ ID NO:2, residues 423-671).

24. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 15$ (SEQ ID NO:2, residues 514-543).

25. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 16$ (SEQ ID NO:2, residues 514-579).

26. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 17$ (SEQ ID NO:2, residues 514-633).

27. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise $\alpha\Delta 18$ (SEQ ID NO:2, residues 514-671).

28. (New) A polynucleotide according to claim 1, wherein said consecutive amino acid residues comprise SEQ ID NO:2.

29. (New) A nucleic acid according to claim 3 comprising at least 36 consecutive nucleotides of the nucleotide sequence set forth as SEQ ID NO:1, which consecutive nucleotides comprise nucleotides 1540-1542 (ACA) of SEQ ID NO:1.

30. (New) A nucleic acid according to claim 3 comprising at least 48 consecutive nucleotides of the nucleotide sequence set forth as SEQ ID NO:1, which consecutive nucleotides comprise nucleotides 1540-1542 (ACA) of SEQ ID NO:1.

31. (New) A nucleic acid according to claim 3 comprising at least 72 consecutive nucleotides of the nucleotide sequence set forth as SEQ ID NO:1, which consecutive nucleotides comprise the nucleotides 1540-1542 (ACA) of SEQ ID NO:1.

32. (New) A nucleic acid according to claim 3 comprising at least 148 consecutive nucleotides of the nucleotide sequence set forth as SEQ ID NO:1, which consecutive nucleotides comprise nucleotides 1540-1542 (ACA) of SEQ ID NO:1.

33. (New) A nucleic acid according to claim 3 comprising at least 356 consecutive nucleotides of the nucleotide sequence set forth as SEQ ID NO:1, which consecutive nucleotides comprise nucleotides 1540-1542 (ACA) of SEQ ID NO:1.

34. (New) A nucleic acid according to claim 3, wherein the consecutive nucleotides are selected from the group consisting of nucleotides 1540-1557, 1540-1563, 1540-1675, 1540-1699, 1525-1542, 1519-1542, 1507-1542, 1483-1542, 1537-1545, 1534-1548, 1528-1554, 1516-1566, 1504-1554 and 1492-1568 of SEQ ID NO:1.

REMARKS

Claims 1, 2 and 10-28 are directed to polynucleotides encoding the polypeptides claimed in parent application 09/132,118 and contain the same limitations as claims 1, 2 and 10-28 as allowed in 09/132,118. The limitations of new claims 29-33 are found on p.4, line 2 and the limitations of new claim 34 are found on p.4, lines 11-24. These amendments introduce no new matter.

The Commissioner is hereby authorized to charge any fees or credit any overcharges, if necessary, relating to this communication to our Deposit Account No. 19-0750 (order no. T95-006-2).

Respectfully submitted,
SCIENCE & TECHNOLOGY LAW GROUP



Richard Aron Osman, Ph.D., #36,627
Tel: (650) 343-4341; Fax (650